GOVERNMENT OF INDIA
LABOUR
LOK SABHA

UNSTARRED QUESTION NO:2231
ANSWERED ON:03.12.2001
SPECIAL COURT FOR PROVIDENT FUND DEFAULT CASES
MINATI SEN

Will the Minister of LABOUR be pleased to state:

(a) whether the Employers are continuing to write off arrear payment of Provident Fund of employees in different organisations in the name of `unrealisable`;

(b) if so, the number of cases of Provident Fund defaulters pending in the country presently and the number of cases in which prosecution has been carried out;

(c) whether there is any provision of special court to try Provident Fund default cases; and

(d) if so, the details thereof?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT (SHRI MUNI LALL)

(a) to (d): Arrears are not allowed to be written off by classifying them as unrealisable.

As on 31.3.2001, 26,207 establishments have defaulted in payment of dues. Further 74,838 prosecution cases under Section 14 of Employees Provident Funds & Miscellaneous Provisions Act, 1952 are pending before the courts and 7,723 complaints have been lodged under Sections 406/409 of India Penal Code (IPC).

Necessary legal and penal action is taken against the defaulters under the provisions of the Employees Provident Funds & Miscellaneous Provisions Act, 1952.

There is no provision for constituting special courts to try Provident Fund default cases. However, depending upon the volume of work involved, in certain States, some courts are specified for trying Provident Fund default cases, by the State Governments concerned.